

### **REMARKS**

Applicant expresses appreciation to the Examiner for consideration of the subject patent application. This Response is in response to the Office Action mailed August 16, 2004. Claims 1-29 were subject to restriction and species election requirement.

Claims 1-29 were originally presented. Claims 1-26 remain in the application. Claims 27-29 have been withdrawn. No claims have been added or amended.

#### **Election/Restriction Requirements:**

In response to the restriction requirement of August 16, 2004, the Applicant provisionally elects, with traverse, group II, claims 1-26.

The Applicant respectfully traverses the restriction requirement for the following reasons. Examination of at least the apparatus/method claims of groups I and II in the same application would not pose a serious burden under M.P.E.P. § 805.05(e) because there is commonality of dominant elements between the claims of Groups I and II.

In response to the election requirement of August 16, 2004, the Applicant elects species 1 of FIGs. 7-11. The claims considered readable thereon being generic claims 1 and 13; and claims 2-12 and 14-26. Upon allowance of a generic claim, Applicant is entitled to consideration of claims to additional species.

### CONCLUSION

Applicant respectfully submits that pending claims 1-26 are in condition for allowance, and requests that the claims be allowed and passed to issue. If any impediment to the allowance of these claims remains after entry of this Response, the Examiner is strongly encouraged to call Vaughn North at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

Check No. 20520, in the amount of \$110.00, is enclosed pursuant to 37 C.F.R. § 1.17(a)(1), for a 1-month extension of time pursuant to 37 C.F.R. § 1.136.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 08-2025.

DATED this 15<sup>th</sup> day of October, 2004.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Vaughn W. North 4/1, 073 for".

Vaughn W. North  
Registration No. 27,930

THORPE NORTH & WESTERN, LLP  
Customer No. 20,551  
P.O. Box 1219  
Sandy, Utah 84091-1219  
Telephone: (801) 566-6633